

Application No.: 11/011,421
Response dated October 27, 2005
Reply to Office Action of: August 9, 2005
- 8 -

REMARKS

Reconsideration of the present claims, in light of the Remarks which follow, is respectfully requested.

Claims now before the Examiner are 1-19.

Support for new claims 14-19 is found in paragraphs [0005], [0011], and [0015], as well as claims 1 and 2 as filed.

The numbering in this Response will correspond to the numbering in the Examiner's Action.

1. No Response necessary.

Rejections Under 35 USC § 112

2.-3. *Claims 1-13 stand Rejected under 35 USC § 112 first paragraph as not enabling.*

At the outset, Applicants wish to respectfully point out that the phrase "unlimited number" appears as an element only in claims 1, 7 and 8 and those that depend therefrom.

The Examiner rejects the use of "unlimited". Applicant respectfully disagrees with the Examiner's assertion that unlimited has no definable meaning. Unlimited product attributes or attribute levels is a descriptive term, when viewed in light of the disclosure indeed has a definable meaning. For instance, an automobile could have 2 product attributes, i.e. color and number of doors. However, an automobile could just as well have *many* attributes, starting with tires, where attributes could include size, tread wear ratings, speed ratings, choice of elastomer (for instance, EPDM, EP, butyl, natural, chlorinated butyl, SBR, and similar elastomers or combinations), choice of carbon blacks, choice of cord material (type of material (e.g. steel type, nylon type), length, diameter, pattern), raised or colored lettering, and so on for not just tires, but each hose in the vehicle, each nut, bolt and/or weld, the list becomes huge, but not infinite. Unlimited is therefore not infinite, as suggested by the Examiner. The specification gives ample direction to the skilled practitioner of market research, all of whom will understand "unlimited" in the context of the specification.

Secondly, it is the beauty of adaptive discrete choice modeling (also called "partial profile" conjoint analysis) that with the limiting techniques disclosed and

00H011A.111.10.27.05.doc

Application No.: 11/011,421
Response dated October 27, 2005
Reply to Office Action of: August 9, 2005
- 9 -

claimed, statistical methods of such limiting can bring such large groups (substantially unlimited) of attributes and/or attribute levels, that a plurality of respondents can deal with to provide the user (as defined in the specification) with meaningful information such as purchasing behavior. In fact, each claim group contains a "limiting" element (claim 1, c, i; claim 2, b, i & C; claim 5 c; claim 6 b, c; claim 7 d, e; claim 8 c, d).

Accordingly there is ample enabling description.

Withdrawal of the Rejection is respectfully requested.

4.-5. *Claims 1-13 stand Rejected under 35 USC § 112, second paragraph, as indefinite.*

In light of the discussion above, the claims are not indefinite. The response above substantially answers the Examiner's contentions regarding the second paragraph.

Withdrawal of the Rejection is respectfully requested.

Rejections Under 35 USC § 102

6.-7. *Claim 1 stands Rejected under 35 USC § 102 (b) as Anticipated by "Conducting Full-Profile Conjoint Analysis over the Internet" (Orme "A").*

The "Full-Profile" of Orme "A" is not adaptive (or "partial profile") discrete choice modeling (ADCM), as disclosed and claimed. Absent disclosure in Orme A to ADCM, the claim is not Anticipated by

Withdrawal of the Rejection is respectfully requested.

Rejections Under 35 USC § 103

8.-9. (originally noted in the Office Action as a second 6. & 7.) *Claims 2-13 stand Rejected under 35 USC § 103 (a) as Obvious over Orme A in view of "Which Conjoint Method Should I Use?" (Orme B).*

At the outset, Applicants wish to point out that Orme B is not effective as a reference. The copyright date of this document is 2003, after Applicants' filing date. As discussed immediately above, Orme A does not disclose or suggest ADCM. Absent any such disclosure or suggestion, Orme A does not render the present claims Obvious.

Withdrawal of the Rejection is respectfully requested.

00H011A.111.10.27.05.doc

Application No.: 11/011,421
Response dated October 27, 2005
Reply to Office Action of: August 9, 2005
- 10 -

10. (Originally in the Office Action as 7.) No response necessary.
The claims are in condition for allowance.

Respectfully submitted,



Douglas W. Miller
Agent for Applicants
Registration No. 36,608

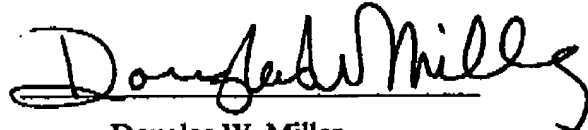
Southwest Patent Services
305 21st Street, Suite 249
Galveston, Texas 77550
Phone: (409) 763-4200
Facsimile: (409) 763-4201

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

10.27.05

Date



Douglas W. Miller
Registration No. 36,608